

EDDIE BAZA CALVO  
Governor

RAY TENORIO  
Lieutenant Governor

*Office of the Governor of Guam*

MAY 19 2016

33-16-1652

Office of the Speaker  
Judith T. Won Pat, F.d.D

Honorable Judith T. Won Pat, Ed.D.  
Speaker  
*I Mina'trentai Tres Na Liheslaturan Guåhan*  
155 Hesler Street  
Hagåtña, Guam 96910

Date: 05-19-16  
Time: 3:22pm  
Received By: [Signature]

Dear Madame Speaker:

Transmitted herewith is Bill No. 190-33 (COR), "AN ACT TO AMEND SECTION 9(c) OF PUBLIC LAW 32-054, RELATIVE TO REQUIRING THAT THE NATIONAL CLINICAL MENTAL HEALTH COUNSELOR EXAM BE THE SOLE REQUISITE EXAM FOR LICENSURE OF MENTAL HEALTH COUNSELORS; TO AMEND SECTIONS 1, 2, 9 AND 16 OF PUBLIC LAW 32-054 FOR THE PURPOSES OF ESTABLISHING A LICENSED INTERN DESIGNATION DURING THE THREE THOUSAND (3,000) HOUR POST-GRADUATE CLINICAL EXPERIENCE PERIOD REQUIRED FOR MENTAL HEALTH PROFESSIONAL LICENSURE; AND TO AMEND SECTIONS 14 AND 21 OF PUBLIC LAW 32-054 TO PROVIDE FOR AN EIGHTEEN (18) MONTH LIMITATION ON THE GRANDFATHER PROVISION," which was signed into law on May 17, 2016, as Public Law 33-154.

2016 MAY 19 PM 4:12

*Senseramente,*

EDDIE BAZA CALVO

***I MINA'TRENTAI TRES NA LIHESLATURAN GUÅHAN***  
**2016 (SECOND) Regular Session**

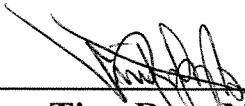
**CERTIFICATION OF PASSAGE OF AN ACT TO *I MAGA'LÅHEN GUÅHAN***

This is to certify that Substitute Bill No. 190-33 (COR), "AN ACT TO *AMEND* SECTION 9(c) OF PUBLIC LAW 32-054, RELATIVE TO REQUIRING THAT THE NATIONAL CLINICAL MENTAL HEALTH COUNSELOR EXAM BE THE SOLE REQUISITE EXAM FOR LICENSURE OF MENTAL HEALTH COUNSELORS; TO *AMEND* SECTIONS 1, 2, 9 AND 16 OF PUBLIC LAW 32-054 FOR THE PURPOSES OF ESTABLISHING A LICENSED INTERN DESIGNATION DURING THE THREE THOUSAND (3,000) HOUR POST-GRADUATE CLINICAL EXPERIENCE PERIOD REQUIRED FOR MENTAL HEALTH PROFESSIONAL LICENSURE; AND TO *AMEND* SECTIONS 14 AND 21 OF PUBLIC LAW 32-054 TO PROVIDE FOR AN EIGHTEEN (18) MONTH LIMITATION ON THE GRANDFATHER PROVISION," was on the 3rd day of May 2016, duly and regularly passed.



**Judith T. Won Pat, Ed.D.**  
**Speaker**

Attested:



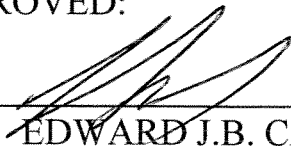
**Tina Rose Muña Barnes**  
**Legislative Secretary**

This Act was received by *I Maga'låhen Guåhan* this 5 day of May,  
2016, at 4:46 o'clock P.M.



**Assistant Staff Officer**  
***Maga'låhi's* Office**

APPROVED:



**EDWARD J.B. CALVO**  
***I Maga'låhen Guåhan***

Date: MAY 3 2016

Public Law No. 33-154

*I MINA'TRENTAI TRES NA LIHESLATURAN GUÅHAN*  
2015 (FIRST) Regular Session

**Bill No. 190-33 (COR)**

As substituted by the Committee on Health,  
Economic Development, Homeland Security,  
and Senior Citizens.

Introduced by:

Dennis G. Rodriguez, Jr.  
T. C. Ada  
V. Anthony Ada  
FRANK B. AGUON, JR.  
Frank F. Blas, Jr.  
B. J.F. Cruz  
James V. Espaldon  
Brant T. McCreadie  
Tommy Morrison  
T. R. Muña Barnes  
R. J. Respicio  
Michael F.Q. San Nicolas  
Mary Camacho Torres  
N. B. Underwood, Ph.D.  
Judith T. Won Pat, Ed.D.

**AN ACT TO *AMEND* SECTION 9(c) OF PUBLIC LAW 32-054, RELATIVE TO REQUIRING THAT THE NATIONAL CLINICAL MENTAL HEALTH COUNSELOR EXAM BE THE SOLE REQUISITE EXAM FOR LICENSURE OF MENTAL HEALTH COUNSELORS; TO *AMEND* SECTIONS 1, 2, 9 AND 16 OF PUBLIC LAW 32-054 FOR THE PURPOSES OF ESTABLISHING A LICENSED INTERN DESIGNATION DURING THE THREE THOUSAND (3,000) HOUR POST-GRADUATE CLINICAL EXPERIENCE PERIOD REQUIRED FOR MENTAL HEALTH PROFESSIONAL LICENSURE; AND TO *AMEND* SECTIONS 14 AND 21 OF PUBLIC LAW 32-054 TO PROVIDE FOR AN EIGHTEEN (18) MONTH LIMITATION ON THE GRANDFATHER PROVISION.**

1           **BE IT ENACTED BY THE PEOPLE OF GUAM:**

2           **Section 1. Legislative Findings and Intent.** *I Liheslaturan Guåhan* finds  
3 that the requisite examination for licensure as a Licensed Mental Health Counselor  
4 (LMHC) may be appropriately accomplished with the National Clinical Mental  
5 Health Counselor Exam (NCMHCE), which is the “specialty license” for those  
6 specializing in mental health counseling; and further, that the National Counselor  
7 Examination (NCE) is a basic entry examination for the generalist license into the  
8 profession of Licensed Professional Counselor (LPC). According to the National  
9 Board of Certified Counselors (NBCC) the taking of both exams is usually not  
10 required in most states, unless the applicant is seeking national certification and  
11 licensure that would be “portable” to most states, but still subject to any additional  
12 requirement(s) a state may mandate.

13           The Association of the Individual, Marriage and Family Therapists of Guam  
14 is requesting that *I Liheslaturan Guåhan* amend the requirement for both exams for  
15 Licensed Mental Health Counselors, and that only the NCMHCE be required, but  
16 not the NCE.

17           *I Liheslaturan Guåhan* finds that there is an appropriate need to establish an  
18 *intern license* designation for a qualified person pursuing an education and career as  
19 an Individual, Marriage and Family Therapist (IMFT), Certified Professional  
20 Counselor (CPC), Licensed Clinical Social Worker (LCSW), Licensed Mental  
21 Health Counselor (LMHC), Licensed Professional Counselor (LPC), or Marriage  
22 and Family Therapist (MFT). This limited license designation as a mental healthcare  
23 intern would only be applicable during the post-graduate period and the  
24 accumulation of the requisite three thousand (3,000) hours of clinical experience,  
25 and would allow for billable hours for services rendered during this period.

1            *I Liheslaturan Guåhan* further finds that, notwithstanding the passage and  
2 enactment of Public Law 32-054 on July 5, 2013, the existing provisions pursuant  
3 to Article 13 (Individual, Marriage and Family Therapy), enacted in Public Law 24-  
4 329 on August 14, 1998, were not repealed. This has created a dilemma for the  
5 Compiler of Laws, who has not, to date, codified the provisions of Public Law 32-  
6 054. It is the intent of *I Liheslaturan Guåhan* to rectify this situation by repealing  
7 §§ 121301 through 121305 of Article 13, and reenact Article 13 with Public Law  
8 32-054, as amended pursuant to this Act.

9            **Section 2.** Subsection (c) of Section 9 of Public Law 32-054 is *amended* to  
10 read:

11            “(c) Individuals who hold a current, valid license in a state of the  
12 United States, its territories or a foreign country approved by the Board on a  
13 case-by-case basis as a Licensed Clinical Counselor of Mental Health,  
14 Licensed Clinical Mental Health Counselor, Licensed Mental Health  
15 Counselor, Licensed Mental Health Practitioner, Licensed Professional  
16 Counselor of Mental Health, or other license deemed by the Board to be  
17 substantially equivalent to the Guam license for a Licensed Mental Health  
18 Counselor, and who has passed the National Clinical Mental Health Counselor  
19 Exam (NCMHCE) in a manner approved by the National Board for Certified  
20 Counselors (NBCC) shall be eligible for the Guam license for a Licensed  
21 Mental Health Counselor.”

22            **Section 3.** A new Subsection (j) is hereby *added* to Section 1 of Public Law  
23 32-054 to read:

24            “(j) A *Mental Health Intern License* designation shall mean a person  
25 who is seeking licensure and is acquiring the three thousand (3,000) hours of  
26 post-graduate clinical experience in accordance with this Article for purposes  
27 of acquiring and ultimately meeting the requisite requirements for full

1 licensure as an Individual, Marriage and Family Therapist (IMFT), Certified  
2 Professional Counselor (CPC), Licensed Clinical Social Worker (LCSW),  
3 Licensed Mental Health Counselor (LMHC), Licensed Professional  
4 Counselor (LPC), Marriage and Family Therapist (MFT), or other license  
5 deemed by the Board to be substantially equivalent to these professions, who  
6 is licensed and authorized to provide such supervision in the United States, its  
7 territories or a foreign country determined to be acceptable on a case-by-case  
8 basis by the Board. To be eligible for the intern license, the applicant shall  
9 have completed all of the other criteria required for qualification for his or her  
10 respective field for licensure pursuant to Subsection (a)(1) of Section 2,  
11 Section 8, Section 9 or Section 16, respectively, of this Article.”

12 **Section 4.** A new Subsection (d) is hereby *added* to Section 2 of Public Law  
13 32-054 to read:

14 “(d) The Board *shall* issue a “Professional Counselor Intern License”  
15 and number to an applicant who has satisfied all of the applicable requisite  
16 provisions of qualifications for licensure pursuant to Subsection (a)(1) of this  
17 Section, and who is acquiring the three thousand (3,000) hours of post-  
18 graduate clinical experience required for licensure, as provided pursuant to  
19 Subsection (a)(2) of this Section.

20 (1) The Board shall provide the application form to be  
21 completed by an applicant for a Mental Health Intern License.”

22 **Section 5.** A new Subsection (d) is hereby *added* to Section 9 of Public Law  
23 32-054 to read:

24 “(d) The Board shall issue a “Mental Health Counselor Intern  
25 License” and number to an applicant who has satisfied all of the applicable  
26 requisite provisions of qualifications for licensure pursuant to Subsection  
27 (a)(1) of this Section, and who is acquiring the three thousand (3,000) hours

1 of post-graduate clinical experience required for licensure, as provided  
2 pursuant to Subsection (a)(2) of this Section.

3 (1) The Board shall provide the application form to be  
4 completed by an applicant for a Mental Health Intern License.”

5 **Section 6.** A new Subsection (d) is hereby *added* to Section 16 of Public  
6 Law 32-054 to read:

7 “(d) The Board shall issue a “Marriage and Family Therapist Intern  
8 License” and number to an applicant who has satisfied all of the applicable  
9 requisite provisions of qualifications for licensure pursuant to Subsection  
10 (a)(1) of this Section, and who is acquiring the three thousand (3,000) hours  
11 of post-graduate clinical experience required for licensure, as provided  
12 pursuant to Subsection (a)(2) of this Section.

13 (1) The Board shall provide the application form to be  
14 completed by an applicant for a Mental Health Intern License.”

15 **Section 7.** §§ 121301 through 121305 of Article 13, Chapter 12, Part 2,  
16 Division 1 of Title 10, Guam Code Annotated, as provided pursuant to Public Law  
17 24-329:6 (August 14, 1998), are hereby *repealed*.

18 **Section 8.** Section 14 of Public Law 32-054 is *amended* to read:

19 **“Section 14. Grandfather Provision.**

20 All licensees who hold a current, valid license as an Individual,  
21 Marriage and Family Therapist issued by the Guam Board of Allied Health  
22 Examiners or as a Licensed Professional Counselor issued by a Guam Board,  
23 within eighteen (18) months of the time this Article is enacted into law, or by  
24 August 31, 2017, whichever is later, *shall* be eligible to apply for a license as  
25 a Licensed Mental Health Counselor. They may be granted a license as a  
26 Licensed Mental Health Counselor if:

1 (a) they can pass the NCMHCE developed by the NBCC (they  
2 shall be deemed eligible by the Board to take the test); or

3 (b) they can document one thousand (1,000) hours of post  
4 Masters clinical work which requires diagnosis and treatment planning;  
5 or

6 (c) they have held a license as an Individual, Marriage and  
7 Family Therapist in Guam, a Licensed Professional Counselor in  
8 Guam, or any combination of the two (2) for a minimum of six (6)  
9 years.”

10 **Section 9.** Section 21 of Public Law 32-054 is *amended* to read:

11 **“Section 21. Grandfather Provision.**

12 All licensees who hold a current, valid license as an Individual,  
13 Marriage and Family Therapist issued by the Guam Board of Allied Health  
14 Examiners, or as a Licensed Professional Counselor issued by a Guam Board,  
15 within eighteen (18) months of the time this Article becomes law, or by  
16 August 31, 2017, whichever is later, *shall* be eligible to apply for a license as  
17 a Marriage and Family Therapist. They may be granted a license as a  
18 Marriage and Family Therapist if:

19 (a) they can pass the Marital and Family Therapy examination  
20 developed by the Association of Marital and Family Therapy  
21 Regulatory Boards (AMFTRB) (they shall be deemed eligible to take  
22 the test by the Board); or

23 (b) they can document one thousand (1,000) hours of post  
24 Masters clinical work with couples and families; or

25 (c) they have held a license as an Individual, Marriage and  
26 Family Therapist on Guam, a Licensed Professional Counselor on



1           Guam, or any combination of the two (2) for a minimum of six (6)  
2           years.”

3           **Section 10.** The Compiler of Laws *shall* appropriately codify Public Law 32-  
4 054, as amended pursuant to this Act, under Article 13 of Chapter 12, Part 2,  
5 Division 1 of Title 10, Guam Code Annotated.

6           **Section 11. Severability.** If any provision of this Act or its application to  
7 any person or circumstance is found to be invalid or contrary to law, such invalidity  
8 *shall* not affect other provisions or applications of this Act that can be given effect  
9 without the invalid provisions or application, and to this end the provisions of this  
10 Act are severable.